

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| <b>FRANCISCO CASTILLO and JORGE</b> | : |                             |
| <b>CASTILLO,</b>                    | : |                             |
|                                     | : |                             |
| <b>Plaintiffs,</b>                  | : |                             |
|                                     | : |                             |
| <b>vs.</b>                          | : | <b>Civil Action Number:</b> |
|                                     | : |                             |
| <b>BUILDING CLEANING SOLUTIONS,</b> | : | <b>1:10-CV-03194-TWT</b>    |
| <b>INC., and AARON HUDSON,</b>      | : |                             |
|                                     | : |                             |
| <b>Defendants.</b>                  | : |                             |

**JOINT MOTION FOR REVIEW AND APPROVAL  
OF SETTLEMENT AND RELEASE AGREEMENT**

**COME NOW** Francisco and Jorge Castillo (“Plaintiffs”) and Building Cleaning Solutions, Inc. and Aaron Hudson (“Defendants”) and move this Court for a review and approval of their Confidential Settlement Agreement and Full and Final Release of All Claims. As grounds for this Motion, the Parties show the Court as follows:

1.

Plaintiff filed his Complaint [Doc. 1] on October 5, 2010, alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §201, et seq.

2.

Based upon the understandings and assessments of each party, the Parties, acting at arms length and in good faith and with the advice of counsel, have negotiated and entered into a Confidential Settlement Agreement and Full and Final Release of All Claims.

3.

Pursuant to Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350, 1353 (11th Cir. 1982), judicial approval is required to give effect to Plaintiff's release of his FLSA claims, which is material to the Settlement Agreement.

4.

Once the Court approves the Agreement, and all Installment Payments are made, the Parties will file a Stipulation of Dismissal of this case with prejudice.

5.

Because the Parties have agreed to keep the terms of the Settlement Agreement confidential, the parties will submit a copy of the Agreement directly to chambers for the Court's consideration, along with a courtesy copy of this Motion.

6.

The parties further request that the Court retain jurisdiction over this matter and incorporate the Settlement Agreement into its Order granting this Motion

WHEREFORE, the Parties respectfully request that this Court review and approve their Confidential Settlement Agreement and Full and Final Release of All Claims. For the Court's convenience, a proposed Order granting this Motion is attached hereto as Exhibit "A."

Respectfully submitted this 16<sup>th</sup> day of August, 2011.

DELONG CALDWELL BRIDGERS &  
FITZPATRICK, LLC

s/ Kevin D. Fitzpatrick, Jr.

Kevin D. Fitzpatrick, Jr.  
Georgia Bar No.: 262375

s/ Charles R. Bridgers

Charles R. Bridgers  
Georgia Bar No.: 080791

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ATTORNEYS FOR PLAINTIFFS

T. ROBERT REID, LLC

s/ T. Robert Reid, II

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ATTORNEY FOR DEFENDANTS

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
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|   |   |                             |
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| <b>FRANCISCO CASTILLO and JORGE<br/>CASTILLO,</b>               | : |                             |
|   | : |                             |
|   | : |                             |
| <b>Plaintiffs,</b>  | : |                             |
|   | : |                             |
| <b>vs.</b>  | : | <b>Civil Action Number:</b> |
|   | : |                             |
| <b>BUILDING CLEANING SOLUTIONS,<br/>INC., and AARON HUDSON,</b> | : | <b>1:10-CV-03194-TWT</b>    |
|   | : |                             |
|   | : |                             |
| <b>Defendants.</b>  | : |                             |

**CERTIFICATE OF COUNSEL**

Pursuant to N.D. Ga. R. 7.1, the below signatory attorney certified that this pleading was prepared with times New Roman (14 point), one of the fonts and point selections approved by the Court in N.D. Ga. R. 5.1 C.

/s/Kevin D. Fitzpatrick, Jr.  
Kevin D. Fitzpatrick, Jr.  
Ga. Bar No. 262375  
Counsel for Plaintiff

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| <b>INC., and AARON HUDSON,</b>      | : |                             |
|                                     | : |                             |
| <b>Defendants.</b>                  | : |                             |

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing **JOINT MOTION FOR REVIEW AND APPROVAL OF SETTLEMENT AND RELEASE AGREEMENT** using the CM/ECF system, which will automatically send email notification of such filing to the following attorney of record:

T. Robert Reid, II  
T. Robert Reid, LLC  
1030 Woodstock Road  
Suite 3112  
Roswell, GA 30075

Respectfully submitted this 16<sup>th</sup> day of August, 2011

/s/Kevin D. Fitzpatrick, Jr.  
Kevin D. Fitzpatrick, Jr,  
Ga. Bar No. 262375